

Remarks

Reconsideration of the present application is respectfully requested in light of the foregoing amendments and the following remarks. The aforesaid action was not made final.

Claims 1, 4, 6-13, 16, and 18-22 are presented in the present application, claims 2, 3, 5, 14, 15, and 17 having been cancelled by the present amendment.

Substantively, Claims 1-4, 6, 7, and 10 stand rejected under 35 USC §102(b) as being assertedly anticipated by Scaramuzzi '808. Claims 1, 2 and 5-7 have also been rejected under §102(b) as being assertedly anticipated by Averill '884.

Claim 8 stands rejected under 35 USC §103(a) as assertedly being obvious in view of Scaramuzzi '808 and, separately, in view of Averill '884. Claims 13-16, 18 and 19 stand rejected under 35 USC §103(a) as being assertedly obvious over Scaramuzzi '808 in view of Phillips '511. Claims 13, 14 and 17-19 stand rejected under 35 USC §103(a) as being assertedly obvious over Averill '884 in view of Phillips '511.

The Examiner has indicated that Claims 9, 11, 12 and 20-22 are allowed, stating that the allowable subject matter is the cargo support device having a platform and base members; each base member having a curved recess therein with a sloping wall portion, a concave receiving surface wall portion and a substantially horizontal wall portion lifting surface.

By the present amendment, the Applicant has amended claims 1 and 13 to include the subject matter indicated by the examiner to be allowable, and has cancelled dependent claims that would have been redundant. Further, dependencies of certain dependent claims have been amended to reflect the changes to the remainder of the claims.

It is therefore asserted that all outstanding rejections of the claims are moot in light of the present amendment and it is respectfully requested that they be withdrawn. Therefore, entry of

the present amendment is respectfully requested in order to place the application in condition for allowance, in accordance with the Examiners indications in the aforesaid Action.

By the above amendment and remarks, it has been demonstrated that claims 1, 4, 6-13, 16, and 18-22 are now in condition for allowance. It is therefore respectfully requested that claims 1, 4, 6-13, 16, and 18-22 be allowed and the present application be passed to issue.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mark A. Taylor".

Mark A. Taylor
Attorney for Applicant
Registration No. 35,706

Correspondence directed to:
Mark A. Taylor, Esq.
STOLL KEENON OGDEN, PLLC
300 West Vine St.
Suite 2100
Lexington, Ky. 40507
Telephone: (859) 231-3018
Facsimile: (859) 253-1093